

EXHIBIT G

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA



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RYAN QUARLES,

Plaintiff,

vs.

Civil Action No. 21-cv-02813

COMMISSIONER OUTLAW, et al.

Defendants.

REMOTE DEPOSITION BY VIDEOCONFERENCE

OFFICER KEVIN TILGHMAN

TAKEN ON
JANUARY 4, 2022
3:23 P.M.

1515 ARCH STREET
PHILADELPHIA, PENNSYLVANIA 19102

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1	APPEARANCES BY VIDEOCONFERENCE	1	EXHIBITS INDEX
2		2	Exhibit Page
3	Appearing on behalf of the Plaintiff:	3	
4	AARON BELL, ESQUIRE	4	(NONE MARKED)
5	Bell Law Offices	5	
6	7303 Frankford Avenue	6	
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9	(833)683-1636 (Fax)	9	
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11		11	
12	Appearing on behalf of the Defendant:	12	
13	SHANNON ZABEL, ESQUIRE	13	
14	City of Philadelphia Law Department	14	
15	1515 Arch Street, 14th Floor	15	
16	Philadelphia, PA 19102	16	
17	(215)683-5433	17	
18	Shannon.Zabel@phila.gov	18	
19		19	
20	Also Present:	20	
21	Mark Nilson, Videoconference Technician	21	
22		22	
23		23	
24		24	
25		25	
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4	EXAMINATION BY MR. BELL	4	JANUARY 4, 2022
5		5	3:23 P.M.
6	EXAMINATION BY MS. ZABEL	6	
7		7	THE REPORTER: Officer Tilghman, can I
8	FURTHER EXAMINATION BY MR. BELL	8	please have you raise your right hand?
9		9	THE REPORTER: Do you solemnly swear or
10	FURTHER EXAMINATION BY MS. ZABEL	10	affirm under the penalty of perjury that the
11		11	testimony you are about to give will be the truth,
12	FURTHER EXAMINATION BY MR. BELL	12	the whole truth, and nothing but the truth?
13		13	THE DEPONENT: I do.
14		14	THE REPORTER: Thank you. Thank you,
15		15	Counsel. You may proceed.
16		16	KEVIN TILGHMAN, having been duly sworn, was
17		17	examined, and testified as follows:
18		18	EXAMINATION
19		19	BY MR. BELL:
20		20	Q. All right. Good afternoon, Officer
21		21	Tilghman.
22		22	A. Good afternoon.
23		23	Q. Well, you're not a defendant in this case
24		24	so I don't have a lot of questions for you. If you
25		25	don't understand any of my questions, just let me

1 know and I'll rephrase it.
 2 A. Okay.
 3 Q. I'd like to just start off, what's the
 4 highest level of education do you have?
 5 A. I have a bachelor's degree from Slippery
 6 Rock University.
 7 Q. Okay. And would that be in criminal
 8 justice?
 9 A. That's correct.
 10 Q. All right. How do you verify a gun
 11 license?
 12 A. You run the person through the NCIC/PCIC
 13 system or you can call the -- if they have a license
 14 to carry, you can call the -- the number on the
 15 license to carry. It's normally the State Police of
 16 Pennsylvania.
 17 Q. Okay.
 18 A. You also can call NCIC as well.
 19 Q. Okay. So is it fair to say you're not an
 20 expert in Georgia's gun laws?
 21 A. Expert? No.
 22 Q. All right. How does -- what's the
 23 Philadelphia Police Department's specific policy on
 24 verifying a gun permit issued from the State of
 25 Georgia?

6
 1 Q. Out of any -- any state. It don't even
 2 matter if their license was valid. And when I say
 3 "valid", I mean it's valid under Pennsylvania law.
 4 A. Okay. Yeah, 'cause in Pennsylvania you
 5 can only carry if it's reciprocated with other
 6 commonwealths.
 7 Q. Yes, that's correct.
 8 A. So, yeah, if he -- if we could verify it,
 9 you know, well, that's fine. But that wasn't --
 10 Q. Good.
 11 A. -- the case with that --
 12 Q. I understand, I understand. I'm not going
 13 there. I understand.
 14 A. Yeah.
 15 Q. Okay. Hold on a second, Officer. Would
 16 you call 911 dispatch to verify a firearms license?
 17 A. You -- there's -- there's instances where
 18 you can because the front -- the dispatcher's
 19 supervisor can; but, again, I don't think that
 20 they're capable of running it outside of, you know,
 21 like PA. I think that, again, you would have to
 22 call NCIC/PCIC.
 23 Q. Okay.
 24 A. Which again is not a national database.
 25 Q. Okay. So -- all right. Let me rewind up

7
 1 A. You would have to call NCIC and if you --
 2 NCIC/PCIC, and if you -- if they can't get in
 3 contact with that, I would probably call the
 4 detectives because they can go further. They can,
 5 you know, investigate it a little further.
 6 Q. Okay. All right. To -- to the best of
 7 your knowledge, does the Philadelphia Police
 8 Department have a specific policy for verifying
 9 Georgia gun licenses?
 10 A. No, not a specific, not that I would know
 11 of.
 12 Q. All right. Do you remember your encounter
 13 with Ryan Quarles in March 29, 2020?
 14 A. Yeah, I remember the -- the general -- the
 15 gist of it, correct, yes.
 16 Q. All right. All right. Well, remember
 17 that you placed him under arrest for carrying a
 18 firearm without a license?
 19 A. Correct.
 20 Q. All right. Now, if Mr. Quarles was
 21 capable of handing you a valid license to carry,
 22 would you have arrested him?
 23 A. A valid license to carry?
 24 Q. Yes.
 25 A. Out of Philadelphia?

9
 1 just -- let me rewind just a little bit. So you said
 2 there are instances where instead of calling a
 3 fusion center or running somebody through NCIC/PCIC,
 4 you will call 911 dispatch?
 5 A. It's not -- so what I would do is I would
 6 go over air, which is police radio, and I would ask
 7 --
 8 Q. Okay.
 9 A. -- for can they run them now for a
 10 license, a valid license to carry.
 11 Q. Oh.
 12 A. Not actually call on the phone --
 13 Q. Okay.
 14 A. -- but I would relay that information over
 15 the police radio and then the dispatcher will let
 16 her supervisor run it. But, again, I think -- I
 17 don't think we have the capable to run outside so we
 18 would have to call NCIC.
 19 Q. All right, Officer. You know, I
 20 apologize; I should have asked a better question or
 21 made it more clear. My question specifically is,
 22 would you call a 911 operator, not -- not your
 23 radio. I'm not talking about your radio.
 24 A. Okay.
 25 Q. But while you -- yeah, like, while you're

1 on the phone, got somebody pulled over at a traffic
 2 stop, would you get on your cell phone and dial 911
 3 and the operator, "How can I help you?" "Hey, can
 4 you verify a gun license?" You wouldn't do that,
 5 right?

6 A. No.

7 Q. All right. That -- would -- okay. Is that
 8 -- would that appear proper to you based on your
 9 training?

10 A. Based on -- based on my training, it would
 11 be un-ordinary, but I'm pretty sure if it did
 12 happen, you know, the operator -- the call taker
 13 would transfer it over, you know, whoever to the --
 14 to the appropriate resource.

15 Q. All right. But you do understand that 911
 16 dispatch officers typically don't verify gun
 17 licenses?

18 A. This is --

19 MS. ZABEL: Objection to the form. Go
 20 ahead, Officer, you can answer.

21 THE DEPONENT: So, yes, call takers do not
 22 because -- because it goes -- it goes from 911 call
 23 taker to dispatch to us as the police.

24 BY MR. BELL:

25 Q. Okay. All right. Hold on one second,

10

1 that person doesn't have a license, right?
 2 A. Like, a driver's license or a license to
 3 carry?
 4 Q. No, excuse me. A license to carry a
 5 firearm.
 6 A. Not necessarily. I've had encounters
 7 where people didn't have their license to carry on
 8 them and I ran them through the NCIC/PCIC system and
 9 a license to carry popped up valid and all. But
 10 they should have their license to carry, you know,
 11 on them but everybody makes mistakes. Sometimes,
 12 you know, I leave the house and leave my driver's
 13 license in the house as I'm going to the store real
 14 fast.

15 Q. Yeah, that's understandable. All right.
 16 So the specific question was, and I should've asked
 17 a better question again, is that are you familiar
 18 with Pennsylvania's statute that says that if a
 19 person cannot produce a license to carry the
 20 firearm, that would give the officers the authority
 21 to make the arrest? I'm not saying you have to, but
 22 are you -- are you familiar with that?
 23 A. I'm -- so I know that you need a license
 24 to carry, correct. I'm not like do I -- do I read
 25 that statute, like, word for word?

11

1 Officer. All right. So when you encountered Mr.
 2 Quarles you did try to the best of your knowledge to
 3 see if he actually had a valid license to carry from
 4 the State of Georgia.

5 A. Yes, so I think -- I believe -- I can't
 6 really, you know, really remember every little
 7 detail but I do remember calling up Southwest. I
 8 remember, you know, stating that -- and if I'm not
 9 mistaken, in my interview or some type of paperwork
 10 that he said he had a license to carry out of
 11 Georgia but the detectives couldn't find it, either,
 12 I believe.

13 Q. All right. All right. But you did get
 14 it? I'm sorry.

15 A. Yeah, and the -- and the firearm was
 16 actually illegal that he had.

17 Q. Yeah, it was reported stolen.

18 A. Correct.

19 Q. All right. If you were able to confirm
 20 with the State of Georgia that -- that he had a
 21 license, a valid license that was active at that
 22 time -- I strike that question. You answered that
 23 already. You're familiar with Pennsylvania law that
 24 says that if a person isn't able to produce the
 25 physical license, that's *prima facie* evidence that

12

1 Q. All right.
 2 A. Like, I'm familiar with the -- the gist of
 3 it. If you don't have a license to carry, you --
 4 and you possess a firearm, you get locked up.
 5 Q. All right. That's good enough. Hold on
 6 one second, Officer. Would you consider verifying
 7 gun licenses to be a major function of your job as a
 8 police officer?
 9 A. Very, very, very much so.
 10 Q. Could you explain why?
 11 A. Well, I, I'm in a tactical unit so my job
 12 specifically is to initiate car stops and ped stops
 13 and go into radio calls of priority. So if I'm
 14 going to a person with a gun call and a guy has a
 15 gun on him, I need to verify his license to carry
 16 before I walk up to this guy, you know, who has a
 17 firearm. Same way if I stop a vehicle; someone has a
 18 license to carry, I would like to know when I pull
 19 that vehicle over that there's a gun in their car
 20 for my safety and, you know, the occupant's safety
 21 as well.
 22 Q. Okay. All right. If you know, like, in a
 23 given -- in a given week, and I'm not expecting you
 24 to know the exact number every week, but generally
 25 how many times would you have to verify whether a

1 person has a license to carry?
 2 A. In a week?
 3 Q. Yeah.
 4 A. Easy, over 20, over 20.
 5 Q. Okay.
 6 A. I normally on a active week could do
 7 anywhere between 20 to 50 stops.
 8 Q. Okay. Wow. All right. So in a given
 9 year approximately how many? If you could, I don't
 10 expect you to know the exact -- I know, it's a lot.
 11 So --
 12 A. I would -- I would say -- I would say over
 13 -- over, smooth over a hundred, or like this is --
 14 Q. All right. That's fair, Officer.
 15 A. Yeah.
 16 Q. So just to be clear if a person doesn't
 17 have -- you encounter -- you lawfully stop a person,
 18 they have a firearm on them, and you can't confirm
 19 whether their license is legit, they pretty much go
 20 to jail; is that accurate?
 21 A. Go to jail? I would -- well, I wouldn't -
 22 - I don't like the way that was phrased. I'd like -
 23 -
 24 Q. Thank you. Let me rephrase it.
 25 A. If it was

14

1 Q. Okay. So the question basically is this:
 2 When you attempted to verify whether Mr. Quarles had
 3 a license out of Georgia, you didn't go outside of
 4 established police department norms in trying to
 5 verify his license?
 6 MS. ZABEL: Objection, asked and answered.
 7 Officer, you can answer.
 8 THE DEPONENT: No, I think I did what I
 9 could do within my realm, and that's to --
 10 BY MR. BELL:
 11 Q. All right.
 12 A. -- do, you know, the basic run because
 13 once you run someone you can, like, you can run
 14 someone, like, NCIC through, like, the -- I would
 15 say the -- I don't know, the Penn Data -- the DMV
 16 database through different -- through different
 17 states. However, you can't run anyone through
 18 different states for a license to carry because
 19 normally what happens with in Pennsylvania as soon
 20 as you run the license now they update it.
 21 I'm not sure if it was still that when I
 22 stopped Mr. Quarles, but before you would actually
 23 have to call. But now when you run a license, the -
 24 - one of the very last messages is the license to
 25 carry, is it revoked, the number, and the -- the

16

1 Q. I'll rephrase it. Yeah. Apologize. All
 2 right. When you -- if you -- when you lawfully stop
 3 someone and they have a firearm in their possession
 4 on a public street, if they don't have a license to
 5 carry that person would go to jail?
 6 A. Correct.
 7 Q. All right. In this case did you to the
 8 best of your knowledge, did you attempt to verify
 9 whether Mr. Quarles had a active Georgia permit,
 10 according to the established policies and guidelines
 11 in this case?
 12 A. So where we -- like I said, I can't really
 13 remember; I do remember he didn't come back with a
 14 license to carry out of Philadelphia. So --
 15 Q. All right.
 16 A. -- he said Georgia so then I did call
 17 Southwest; Southwest could not confirm. I'm not
 18 sure in relation to if I called Southwest detectives
 19 when I -- it was during the stop or -- or after the
 20 stop. You know? But I actually tried to confirm
 21 with them, but like he said, you know, also, the
 22 firearm was actually reported stolen and it wasn't
 23 from him, so in this case it probably wouldn't -- it
 24 probably wouldn't have helped if he had, you know,
 25 he had a stolen firearm.

15

1 license, the carry number.
 2 So as long as I get that and that's
 3 verified in the NCIC/PCIC system, along with the
 4 card that matches up, that person at least in
 5 Philadelphia is free to go. He said he had a
 6 Georgia one, so that's when I called Southwest or if
 7 I didn't call them exactly I either transported it
 8 to the 18th and verified it there. It was either of
 9 the two. I can't -- like I said, it's been -- we're
 10 talking almost two years ago, I believe.
 11 Q. All right. And the fact that he didn't
 12 physically have a license on his person to give you,
 13 that didn't help, either, right?
 14 A. That didn't help but again, I mean, if he
 15 had a valid license to carry from Georgia with a
 16 stolen firearm, you probably would still end up --
 17 MR. BELL: Yeah, yeah. I'm not really --
 18 I don't care about the gun, just the license issue.
 19 All right. I don't have anything else for you,
 20 Officer.
 21 THE DEPONENT: All right.
 22 EXAMINATION
 23 BY MS. ZABEL:
 24 Q. Officer, I just want you to finish what
 25 you were saying earlier. So Mr. Quarles was

17

1 arrested and you were telling us that if he had a
 2 valid license to carry, he still had a stolen gun on
 3 him, anyway. Can you explain what you were saying
 4 there?

5 A. Yeah. So he -- the -- the firearm was
 6 reported stolen and, you know, it wasn't reported
 7 stolen from him. So if it was his, you know, like,
 8 I'll break it down into, like, a car aspect. You
 9 know, we stop -- we get a lot of stolen cars and
 10 we'll run the tag and sometimes, you know, the owner
 11 gets -- recovers the gun -- the car, I'm sorry, but
 12 doesn't take it out of the system.

13 So now if he had reported it stolen but
 14 ended up finding his firearm then that's one thing,
 15 but for the firearm not to belong to him then that
 16 means he still is in possession of stolen property.

17 MS. ZABEL: Okay. Thank you, Officer.
 18 That's all I have for you.

19 MR. BELL: I have a couple of questions on
 20 that, Officer.

21 FURTHER EXAMINATION

22 BY MR. BELL:

23 Q. Did you have any evidence that Mr. Quarles
 24 actually stole the firearm?

25 A. No, not at all. It was just --

18

1 A. I, I'm aware of the owner but I didn't --
 2 the actual -- the owner was not -- that I know of,
 3 but I'm not sure of the actual, you know,
 4 investigation and the interview that took place.

5 MS. ZABEL: Got it. That's it then.
 6 Thank you.

7 MR. BELL: I have a follow-up.

8 FURTHER EXAMINATION

9 BY MR. BELL:

10 Q. Officer, are you aware that the actual
 11 owner of the firearm actually said Mr. Quarles
 12 didn't steal it from him?

13 A. Not, yeah, I'm not aware of it. I just
 14 know that he was in possession of a firearm that
 15 wasn't his; that's all I know.

16 MR. BELL: All right. I have nothing
 17 else.

18 MS. ZABEL: Just give me a moment, please.
 19 No further questions. Thank you, Officer.

20 THE DEPONENT: Thank you.

21 THE REPORTER: Officer, if you could just
 22 please stand by. Mr. Bell, would you like the
 23 original of this transcript?

24 MR. BELL: Yes, please.

25 THE REPORTER: Okay. And then Ms. Zabel,

20

1 Q. He was just in possession of it?

2 A. Just in possession of it. No --

3 Q. Yeah. Yeah, he didn't say, "Hey, I stole
 4 this firearm from Georgia." He didn't tell you
 5 that?

6 A. No, not that I can remember. I wouldn't.

7 MR. BELL: I don't have anything else,
 8 Officer.

9 THE DEPONENT: All right.

10 THE REPORTER: Okay. Counsel, are we
 11 ready to go off the record?

12 MR. BELL: Yeah.

13 MS. ZABEL: Just let me have one more
 14 question if you don't mind.

15 THE REPORTER: Yes, ma'am.

16 FURTHER EXAMINATION

17 BY MS. ZABEL:

18 Q. Officer, are you aware that whenever a
 19 person is in possession of a firearm that is not
 20 theirs detectives do an investigation to determine
 21 who the firearm belongs to?

22 A. That's correct.

23 Q. Okay. Are you aware in this case that
 24 detectives did an investigation and determined that
 25 it belonged to someone other than Mr. Quarles?

19

21

1 would you like a copy?

2 MS. ZABEL: Yes, please; if I could do the
 3 electronic mini again? Thank you.

4 THE REPORTER: Yes, ma'am. Okay. The time
 5 is 3:41 p.m. and we are now off the record.

6 (WHEREUPON, the deposition of OFFICER
 7 MICHAEL TILGHMAN was concluded at 3:41 p.m.)

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<p>1 CERTIFICATE</p> <p>2</p> <p>3 I, Jordan Weems, do hereby certify that I reported all</p> <p>4 proceedings adduced in the foregoing matter and that the</p> <p>5 foregoing transcript pages constitutes a full, true and</p> <p>6 accurate record of said proceedings to the best of my</p> <p>7 ability.</p> <p>8</p> <p>9 I further certify that I am neither related</p> <p>10 to counsel or any party to the proceedings nor have any</p> <p>11 interest in the outcome of the proceedings.</p> <p>12</p> <p>13 IN WITNESS HEREOF, I have hereunto set my hand this</p> <p>14 19th day of January, 2022.</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20 /S/ Jordan Weems</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p>22</p> <p>1 DECLARATION</p> <p>2 Deposition of: Ofc. Kevin Tilghman Date: 01/04/22</p> <p>3 Regarding: Quarles vs. Commissioner Outlaw</p> <p>4 Reporter: Weems/Tate</p> <p>5</p> <p>6</p> <p>7 I declare under penalty of perjury the following to</p> <p>8 be true:</p> <p>9</p> <p>10 I have read my deposition and the same is true and</p> <p>11 accurate save and except for any corrections as made</p> <p>12 by me on the Correction Page herein.</p> <p>13</p> <p>14 Signed at _____, _____</p> <p>15 on the _____ day of _____, 2022.</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24 Signature _____</p> <p>25 Ofc. Kevin Tilghman</p>
<p>1 CORRECTION SHEET</p> <p>2 Deposition of: Ofc. Kevin Tilghman Date: 01/04/22</p> <p>3 Regarding: Quarles vs. Commissioner Outlaw</p> <p>4 Reporter: Weems/Tate</p> <p>5</p> <p>6 Please make all corrections, changes or clarifications</p> <p>7 to your testimony on this sheet, showing page and line</p> <p>8 number. If there are no changes, write "none" across</p> <p>9 the page. Sign this sheet on the line provided.</p> <p>10 Page Line Reason for Change</p> <p>11 _____</p> <p>12 _____</p> <p>13 _____</p> <p>14 _____</p> <p>15 _____</p> <p>16 _____</p> <p>17 _____</p> <p>18 _____</p> <p>19 _____</p> <p>20 _____</p> <p>21 _____</p> <p>22 _____</p> <p>23 _____</p> <p>24 Signature _____</p> <p>25 Ofc. Kevin Tilghman</p>	<p>23</p>

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